U.S. Serial No. 10/080,868

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile to Commissioner for Palents 31 (703) 872-9306 on this date:

05/20/04.

Douglas A Perry (Print Name)

RECEIVED **CENTRAL FAX CENTER**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 2 0 2004

In Re: Patent Application

Applicant(s): Kenneth A. Davis

Docket No.:

P-4296P1C1

Serial No.:

10/080,868

Group Art Unit:

1644

Filing Date:

Feb. 22, 2002

Examiner:

David A Saunders

For:

Methods and Reagents for Quantitation of Cell-Surface Molecule

Expression on Peripheral Blood Cells

TRANSMITTAL of RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

5/20/04 Date

Central Facsimile Number: (703) 872-9306

Sir:

Submitted herewith are the following enclosure(s);

Response To Restriction Requirement (1 page)

Total number of pages sent, including this transmittal sheet: 2

Respectfully submitted,

Reg. No. 35,321

Agent for Applicants

BD Biosciences

2350 Qume Drive

San Jose, CA 95131

Tel: (408) 518-5074

Fax: (408) 954-4122

U.S. Serial No. 10/080,868

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED **CENTRAL FAX CENTER**

MAY 2 0 2004

In Re: Patent Application

Applicant(s): Kenneth A. Davis

Docket No.:

P-4296P1C1

Serial No.:

10/080,868

Group Art Unit:

1644

Filing Date:

Feb. 22, 2002

Examiner:

David A Saunders

For:

Methods and Reagents for Quantitation of Cell-Surface Molecule

Expression on Peripheral Blood Cells

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In the Office action dated 05/03/2004, the pending claims were subject to a restriction requirement. Restriction to one of the following inventions was required:

Group I:

claims 1-13, 25, and 27

Group II:

claims 39-45, 51, and 54

In response, Applicant elects the invention of group II, claims 39-45, 51, and 54 for examination.

Respectfully submitted,

5/20/04

Douglas A Petry, Ph.D.

Reg. No. 35,321

Agent for Applicant

BD Biosciences

2350 Qume Drive

San Jose, CA 95131 Tel: (408) 518-5074

Fax: (408) 954-4122